REMARKS

A Petition for the Revival of this Application has been filed to allow for continued prosecution of this application.

The Applicant wishes to thank the Examiner for discussing this application and possible claim amendments on July 24, 2007. No conclusions with respect to patentability of the claims was reached.

The Office Action of December 1, 2006 has been carefully reviewed. In the Response to Arguments at page 17 of this Action, the Examiner notes that the Stawikowski reference teaches the use of the SOAP protocol communicating between the structure corresponding to the "control devices" and the "web interface" as claimed in claim 1 of the present application.

In this regard, claim 1 of the present application requires that the communication between the control devices and the web interface be formatted in accordance with the protocol of a "control network". "Control network protocol" as used in the present application and as claimed is carefully defined to require a protocol " wherein the network signal is not formatted in accordance with any Internet transport layer protocol and any Internet network layer protocol".

The SOAP Protocol is an Internet application layer protocol and normally transmitted using both an Internet transport layer protocol and an Internet network layer protocol. Thus the teachings of Stawikowski do not meet the limitations of this claim, even though, as the Examiner notes, SOAP arguably may provide "control" of devices.

A chart showing the position of SOAP within the five layer Internet model is provided below.

5. Internet Application Layer
DHCP • DNS • FTP • Gopher • HTTP • IMAP4 • IRC • NNTP • XMPP • MIME • POP3 • SIP • SMTP • SNMP • SSH • TELNET • RPC • RTP • RTCP • TLS/SSL • SDP • **SOAP** • VPN • PPTP • L2TP • GTP • STUN • NTP • ...
4. Internet Transport Layer
TCP • UDP • DCCP • SCTP • ...
3. Internet Network Layer
IP (IPv4 • IPv6) • IGMP • ICMP • RSVP • BGP • RIP • OSPF • ISIS • IPsec • ARP • RARP • ...
2. Internet Data Link Layer
802.11 • ATM • DTM • Ethernet • FDDI • Frame Relay • GPRS • EVDO • HSPA • HDLC • PPP • ...
1. Interent Physical Layer
Ethernet • ISDN • Modems • PLC • SONET/SDH • G.709 • WiMAX • ...

Because the claims are clear that a "control network" is not just any network subjectively allowing control (the Internet is often used for control) Stawikowski cannot teach the transportation of Internet application layer information on a standard industrial control network and by its presence necessarily teaches away from this possibility.
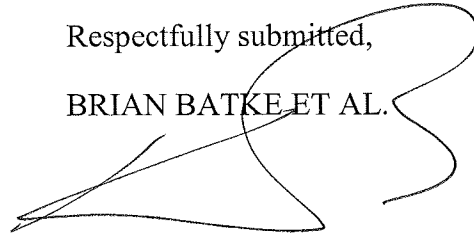
Claim 10 of the present application has been amended to incorporate the limitations of claim 1 and yet to specifically recites that the "control network protocol" is selected from either ControlNet or DeviceNet. ControlNet and DeviceNet are open standard whose detailed specifications are available to the public as managed by the independent organization of ControlNet International (controlnet.org) and ODVA (odva.org), respectively, each a multi-member certifying authority. These control networks of ControlNet and DeviceNet differ from normal Internet protocol in that they

provide for highly reliable communication suitable for real time control and that eliminate many of the problems of dropped data, delayed data, and garbled data typical of standard Internet protocols. The use of such a control network for the transmission of Web data is not taught or suggested by any of the currently cited references.

In light of these comments and amendments believed that claims 1-23 are now in condition for allowance and allowance is respectfully requested

Respectfully submitted,

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